

Thomas, Felicia

From: Golart, Aaron <Aaron.Golart@idwr.idaho.gov>
Sent: Tuesday, March 07, 2017 8:49 AM
To: Peak, Tracy
Subject: FW: Public Records Request for Office of Management and Budget Number

FYI

From: Golart, Aaron
Sent: Tuesday, March 07, 2017 9:47 AM
To: (b) (6); Ron Miller (b) (6); Dave Erlanson (b) (6); Dave Hembree <dembree@nwprospector.org>; Keven Landon (b) (6); Ron Nielsen Jr (b) (6); Jann Higdem (b) (6); Clark Pearson (b) (6); Representative Paul Shepherd <pshepherd@house.idaho.gov>; Representative Priscilla Giddings <pgiddings@house.idaho.gov>; Senator Carl Crabtree <ccrabtree@senate.idaho.gov>; Miller, Neeley <Neeley.Miller@idwr.idaho.gov>
Subject: RE: Public Records Request for Office of Management and Budget Number

Dear Mr. Smith,

Your email states you are making "a public records request" for "the Office of Management and Budget number" for the "EPA NPDES General Permit for Small Scale Suction Dredge Mining in Idaho."

Pursuant to Idaho's public records law, a state agency is required to provide the public access to public records in its possession. Only if IDWR has a record in its possession that is responsive to your request, can IDWR provide that record. I have reviewed IDWR records and I have found no records that contain "the Office of Management and Budget number" for the "EPA NPDES General Permit for Small Scale Suction Dredge Mining in Idaho."

In your email you state that "if you are requiring something of this nature, it must have an Office of Management and Budget Number." By "you", I assume you are referring to IDWR. Any by "requiring something of this nature", I take it you are suggesting that IDWR is requiring an NPDES permit. Your email reflects a misunderstanding. IDWR is not requiring that you get an NPDES permit. It is the EPA that is requiring the permit, not IDWR. As I have stated in my previous emails to you, if you disagree with this, you should contact the EPA and discuss it with them. IDWR has no oversight or jurisdiction over the actions of the EPA.

Aaron Golart
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Idaho Department of Water Resources
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Boise, Idaho 83720-0098
(208) 287-4941
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From: (b) (6)
Sent: Monday, March 06, 2017 7:47 AM
To: Golart, Aaron <Aaron.Golart@idwr.idaho.gov>; Ron Miller (b) (6); Dave Erlanson (b) (6); Dave Hembree <dembree@nwprospector.org>; Keven Landon (b) (6);

Ron Nielsen Jr (b) (6) >; Jann Higdem (b) (6) >; Clark Pearson (b) (6) >; Representative Paul Shepherd <pshepherd@house.idaho.gov>; Representative Priscilla Giddings <pgiddings@house.idaho.gov>; Senator Carl Crabtree <ccrabtree@senate.idaho.gov>; Miller, Neeley <Neeley.Miller@idwr.idaho.gov>

Subject: Public Records Request for Office of Management and Budget Number

Aaron,

I want to request that you send me the Office of Management and Budget number for this EPA NPDES General Permit for Small Scale Suction Dredge Mining in Idaho.

This statement is found on the South Fork Supplement for recreational mining;

The US Environmental Protection Agency (EPA) requires an NPDES general permit for small scale suction dredging in Idaho. Anyone operating a small suction dredge on any stream or river in Idaho should contact the EPA to obtain an NPDES general permit.

As well you have stated to me in an email;

As of 2013, the EPA requires an NPDES permit for small scale suction dredging in Idaho. I agree, the outdated statement in the Plan is confusing and possibly misleading, but currently it's the EPA's position that suction dredging is a regulated activity and requires an NPDES permit. I would recommend contacting the EPA Boise office if you have additional questions regarding the NPDES program in Idaho.

If you are requiring something of this nature, it must have an Office of Management and Budget Number and it must be readily available. Please send it as soon as possible so that I will know that these statements that appear on the permit are legal.

Don Smith